



**Austin**

Independent School District

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Office of Facilities

September 25, 2014

Judge Samuel T. Biscoe  
Travis County  
314 West 11th Street, #520  
Austin, TX 78701

RE: Application for Wine and Beer On-Site Consumption Permit  
1822 South Congress Avenue  
SPC-2014-0277AW

Judge Biscoe:

The District has received notification of an application of a license for a Wine and Beer On-site Consumption Permit for 1822 South Congress Avenue, which is within 300 feet of Fulmore Middle School.

The District opposes this application because of the values articulated in the District's Results Policy No. 7, Health and Safety, as well as a belief that alcohol sales near schools is not generally conducive to a positive and safe learning environment. If you have any questions regarding this matter, please contact me at (512) 414-9841. Thank you for your assistance with this request.

Sincerely,

Beth Wilson,  
Assistant Director of Planning  
Austin Independent School District

Enclosure

cc: Viktor Auzenne, City of Austin-Watershed Protection and Development Review  
Lisa Bush, Principal, Fulmore Middle School

# SRCC

# South River City Citizens

SRCC Neighborhood Assoc.  
P.O. 40632  
Austin, TX 78704  
[www.srccatx.org](http://www.srccatx.org)

Viktor Auzenne  
Planning & Development Review Department

Sounthaly Outhavong  
[president@srccatx.org](mailto:president@srccatx.org)

Gretchen Otto  
[vicepresident@srccatx.org](mailto:vicepresident@srccatx.org)

Garret Nick  
[secretary@srccatx.org](mailto:secretary@srccatx.org)

Nancy Byrd  
[treasurer@srccatx.org](mailto:treasurer@srccatx.org)

October 7, 2014

**RE: Torchy's Tacos Alcohol Beverage Waiver Request (SPC-2014-0277AW)**

Dear Mr. Auzenne and City Council Members:

On Monday, October 6th, 2014, South River City Citizens Neighborhood Association (SRCC) met and voted to support AISD's opposition to the alcohol beverage waiver request by Torchy's Tacos for their planned location at 1822 South Congress Avenue. Members of SRCC voted to support AISD's position for the following reasons:

1. The Vice President of Finance for the applicant informed us that alcohol sales is not a key part of their business revenue model and only represents 10% of their overall revenue which means the inability to sell alcohol does not present an undue hardship on the applicant.
2. We believe alcohol sales near Fulmore Middle School is not in the best interest of the public, because it is not generally conducive to a positive and safe learning environment.
3. Existing establishments selling alcohol within the 300 feet minimum distance requirement are exempt from the current ordinance, because they existed before the ordinance was put into place. Since the ordinance was established, SRCC has consistently demonstrated our opposition to alcohol sales within 300 feet of a school.

We urge you to join the SRCC Neighborhood Association's decision to support AISD's position to deny this alcohol beverage waiver request.

Cordially,

Sounthaly Outhavong  
SRCC President

## PUBLIC HEARING INFORMATION

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  - appearing and speaking for the record at the public hearing;
- and:
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  - is the record owner of property within 500 feet of the subject property or proposed development; or
  - is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

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**Case Number:** SPC-2014-0277AW

**Contact:** Viktor Auzenne, 512-974-2941

**Public Hearing:** Oct 23, 2014, City Council

James Stockbauer  
Your Name (please print)

1811 Newton St  
Your address(es) affected by this application

Austin, TX 78704

Signature

Date

Daytime Telephone: 512 565 1199

Comments:

I am against this project  
there will be added parking  
congestion on many streets  
and noise in a historically  
peaceful neighborhood  
Also run off? he needs  
a retaining pond for parking  
lot to treat runoff

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review – 1st floor

**Viktor Auzenne**

P. O. Box 1088

Austin, TX 78767-8810

From  
CVS!

10-17-14

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**Case Number:** SPC-2014-0277AW

**Contact:** Viktor Auzenne, 512-974-2941

**Public Hearing:** Oct 23, 2014, City Council

Becky Davis

Your Name (please print)

☐ I am in favor  
☒ I object

1708 Nickerson

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: 512 694 2655

Comments:

Object to VARIANCE  
due to school age group  
frans made great \$ over  
the years selling non-  
alcohol to same neighbors  
& kids. Large #s of  
Fulmore students will be  
customers - I will be a  
customer only if no alcohol.

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City of Austin

Planning and Development Review - 1st floor

Viktor Auzenne

P. O. Box 1088

Austin, TX 78767-8810

I love  
Torchys!

10-23-14

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**Case Number:** SPC-2014-0277AW

**Contact:** Viktor Auzenne, 512-974-2941

**Public Hearing:** Oct 23, 2014, City Council

Tammy Brown

Your Name (please print)

1809 East, Austin TX

Your address(es) affected by this application

T. Brown

Signature

☐ I am in favor  
☒ I object

10-10-14

Date

Daytime Telephone: 512-394-5342

Comments: I don't think this  
should be a full bar -  
Ben + wine only. I question  
the safety of a bar so  
close to a school - drunk  
drivers - I also don't want  
a bar in my backyard.

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 1st floor

**Viktor Auzenne**

P. O. Box 1088

Austin, TX 78767-8810

10-23-14

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**Case Number: SPC-2014-0277AW**

**Contact: Viktor Auzenne, 512-974-2941**

**Public Hearing: Oct 23, 2014, City Council**

HARRY & ELLEN CABLUCK

*Your Name (please print)*

☐ I am in favor  
☒ I object

1808 EVA ST.

*Your address(es) affected by this application*

Ellen Cabluck

*Signature*

10/25/14

*Date*

Daytime Telephone: 512-707-1295

Comments: We believe that the law requiring  
no alcohol sales within 300 ft of a school  
is good. While I do not feel this  
business would sell to minors, their  
customers are harder to control. We have  
enough bars & businesses selling alcohol  
nearby already.

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review – 1st floor

**Viktor Auzenne**

P. O. Box 1088

Austin, TX 78767-8810

10-28-14

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**Case Number: SPC-2014-0277AW**

**Contact: Viktor Auzenne, 512-974-2941**

**Public Hearing: City Council, October 2, 2014**

*Jim Storkbaum*

Your Name (please print)

*1811 Newton*

Your address(es) affected by this application

Signature

Daytime Telephone:

*312 565 1199*

Comments:

*NO BOOZE, I've  
had drunkies sleeping  
on my back deck.  
It will only get  
worse. NO!*

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review – 1st floor

**Viktor Auzenne**

P. O. Box 1088

Austin, TX 78767-8810

*NO / NO!*  
*3-18-15 pmkd 3-14-15*

☐ I am in favor  
☒ I object

*3/10/15*  
Date



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**Case Number: SPC-2014-0277AW**

**Contact: Viktor Auzenne, 512-974-2971**

**Public Hearing: City Council, May 19, 2016**

Margaret A McLoery

Your Name (please print)

☐ I am in favor  
☒ I object

1718 S. Congress Ave

Your address(es) affected by this application

[Signature]

Signature

5-3-16

Date

Daytime Telephone: 512-636-6697-

Comments: I'm concerned about hard

Alcohol and Fast Food establishment.

Beer + wine would be ok.

If you use this form to comment, it may be returned to:

City of Austin

Development Services Department, 1st Floor

Viktor Auzenne

P. O. Box 1088

Austin, TX 78767-8810

5-4-16



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**Case Number:** SPC-2014-0277AW

**Contact:** Viktor Auzenne, 512-974-2971

**Public Hearing:** City Council, May 19, 2016

Kent Cole

Your Name (please print)

☐ I am in favor  
☒ I object

1902 South Congress

Your address(es) affected by this application

[Signature]

Signature

5/4/16

Date

Daytime Telephone: 512 447 7636

Comments: We are opposed. Torchys as a bar would be serving an open-air patio on the sidewalk to an all-ages crowd, unlike closed off 21+ C Boys nearby, making it vulnerable to the middle school. Also, we do not welcome the kind of disruption an open-air full service bar brings to this corner of the neighborhood in terms of noise, potential garbage, & potential increased at-risk driving.

If you use this form to comment, it may be returned to:

City of Austin

Development Services Department, 1st Floor

Viktor Auzenne

P. O. Box 1088

Austin, TX 78767-8810

5-5-16

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Case Number: SPC-2014-0277AW

Contact: Viktor Auzenne, 512-974-2971

Public Hearing: City Council, May 19, 2016

Kent Cole

Your Name (please print)

☐ I am in favor  
☒ I object

2000 S. Congress

Your address(es) affected by this application

Kent Cole

Signature

5/4/16  
Date

Daytime Telephone: 512 447 7636

Comments: We object. It's disruptive & too close to school.

If you use this form to comment, it may be returned to:

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Viktor Auzenne

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**Contact: Viktor Auzenne, 512-974-2971**

**Public Hearing: City Council, May 19, 2016**

Kent Cole

Your Name (please print)

☐ I am in favor  
☒ I object

1904 South Congress

Your address(es) affected by this application

Kent Cole

Signature

5/4/16

Date

Daytime Telephone: 512 447 7636

Comments: When we bought these properties, it was known that the zoning prohibited full-bar capacity. Our investments in part were based on the knowledge of the kind of neighborhood environment created in the absence of serving hard alcohol in an ~~establishment~~ all-ages crowd. We are opposed to a zone change.

If you use this form to comment, it may be returned to:

City of Austin

Development Services Department, 1st Floor

Viktor Auzenne

P. O. Box 1088

Austin, TX 78767-8810

5-5-16

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**Contact: Viktor Auzenne, 512-974-2971**

**Public Hearing: City Council, May 19, 2016**

Your Name (please print)

Twila Willis

☐ I am in favor  
☒ I object

Your address(es) affected by this application

200 W Mary St

6 May 16

Signature

Date

Daytime Telephone: 512-445-6581

Comments:

Too close to school -  
Driveway / Box available right  
on the street.

If you use this form to comment, it may be returned to:

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Development Services Department, 1st Floor

Viktor Auzenne

P. O. Box 1088

Austin, TX 78767-8810

5-16-16

## PUBLIC HEARING INFORMATION

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Case Number: SPC-2014-0277AW

Contact: Viktor Auzenne, 512-974-2971

Public Hearing: City Council, May 19, 2016

Kent Cole

Your Name (please print)

☐ I am in favor  
☒ I object

1920 S. Congress

Your address(es) affected by this application

Kent Cole

Signature

5/4/16  
Date

Daytime Telephone: 512 447 7636

Comments: We are opposed to Torchy's proposal, on the grounds of both proximity to the middle school, & the disruption it causes to this part of the neighborhood in multiple ways.

If you use this form to comment, it may be returned to:

City of Austin

Development Services Department, 1st Floor

Viktor Auzenne

P. O. Box 1088

Austin, TX 78767-8810

5-5-16

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**Case Number: SPC-2014-0277AW**

**Contact: Viktor Auzenne, 512-974-2971**

**Public Hearing: City Council, May 19, 2016**

Harry Cabluck

Your Name (please print)

☐ I am in favor  
☒ I object

1808 Eva St.

Your address(es) affected by this application

Harry Cabluck

Signature

5 MAY 2016

Date

Daytime Telephone: 512-707-1295

Comments: City Council case SPC 2014-0277AW  
hearing May 19, 2016

THIS IS A GOOD ORDINANCE LET'S KEEP IT  
IN PLACE. I AM OPPOSED TO SELLING  
ALCOHOLIC BEVERAGES SO VERY NEAR  
THE SCHOOL

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Viktor Auzenne

P. O. Box 1088

Austin, TX 78767-8810

5-6-16



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**Case Number:** SPC-2014-0277AW

**Contact:** Viktor Auzenne, 512-974-2971

**Public Hearing:** City Council, May 19, 2016

Ellen V. Cabluck

Your Name (please print)

☐ I am in favor  
☒ I object

1808 EVA ST.

Your address(es) affected by this application

Ellen Cabluck

Signature

5/5/16

Date

Daytime Telephone: 512-707-1295

Comments: City Council case# SPC2014-0277AW  
hearing May 19, 2016

We are opposed to the sale of alcohol  
at Torchy's Tacos, 1822 South Congress Ave  
It is within 300 ft of Fulmore Middle  
School and we believe it inappropriate.  
City Ordinance should be observed.

If you use this form to comment, it may be returned to:

City of Austin

Development Services Department, 1st Floor

**Viktor Auzenne**

P. O. Box 1088

Austin, TX 78767-8810

5-6-16

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**Case Number: SPC-2014-0277AW**

**Contact: Viktor Auzenne, 512-974-2971**

**Public Hearing: City Council, May 19, 2016**

Kent Cole

Your Name (please print)

☐ I am in favor  
☒ I object

1911 Eva Street

Your address(es) affected by this application

Kent Cole

Signature

5/4/16  
Date

Daytime Telephone: 512 447 7636

Comments: We are opposed to the changes Torchy's  
is asking for to expand their liquor license  
to have a full bar. The safety & quiet  
of this part of the neighborhood thrives on  
limited access to booze, particularly as Torchy's  
location is highly visible and draws in many folks  
to this part of the street. For that reason  
along w/ its proximity to middle school,  
we say nay.

If you use this form to comment, it may be returned to:

City of Austin

Development Services Department, 1st Floor

Viktor Auzenne

P. O. Box 1088

Austin, TX 78767-8810

5-5-16

## Auzenne, Viktor

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**From:** Gretchen Otto [REDACTED]  
**Sent:** Monday, May 09, 2016 11:45 AM  
**To:** Auzenne, Viktor  
**Subject:** SPC-2014-0277AW, Torchys waiver

Hello Mr. Auzenne,

I am writing about the application for an alcohol beverage waiver for Torchys Tacos on South Congress. Our neighborhood association, SRCC, has voted AGAINST this waiver.

I have a question for you:

In previous waiver cases, there has been a representative from development services who presents the case to council and makes a staff recommendation. On what is the staff recommendation based? And, what is staff going to recommend in this case?

Thank you,  
Gretchen

---

Gretchen Otto  
President  
South River City Citizens NA  
[REDACTED]  
512-227-1507  
<http://www.srccatx.org/>

From: brooks kasson [REDACTED]

Sent: Saturday, May 14, 2016 10:47 AM

To: Adler, Steve; Houston, Ora; Garza, Delia; Renteria, Sabino; Casar, Gregorio; Kitchen, Ann; Zimmerman, Don; Pool, Leslie; Troxclair, Ellen; Tovo, Kathie; Gallo, Sheri

Cc: Halley, Shannon; Harden, Joi; Richardson, Ashley; Brinsmade, Louisa; Tiemann, Donna;

Braden.Latham-Jones@austintexas.gov; Auzenne, Viktor

Subject: Torchy's Tacos alcohol waiver, SPC-2014-0277AW

Dear Mayor Adler, Mayor ProTem Tovo, and Council Members,

I am adamantly opposed to a waiver for Torchy's on South Congress. The applicant knew before purchasing the property that it was across the street from a middle school. There is no reason to break precedent in allowing alcohol sales across the street from a school, other than pure profit. Really? Are we as a community willing to sacrifice the well-being of our children so one more vendor can make a buck?

I have lived in the Travis Heights neighborhood since 1967. Of course, there has been a huge transformation, yet I do not care to have more and more establishments being allowed to sell liquor. Perhaps there are those who would like to see this area turn into the free-for-all party atmosphere of Sixth Street. I am not one of those. The more access to alcohol and the behavior that goes with it, the more our youth considers that the norm. Perhaps we could consider having a wonderful taco just enough in itself.

What a concept. Enough.

brooks kasson  
1400 Alta Vista  
78704

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Case Number: SPC-2014-0277AW  
Contact: Viktor Auzenne, 512-974-2971  
Public Hearing: City Council, May 19, 2016

Rebecca Dobberfuhl  
Your Name (please print)

1905 Eva St, 78704

Your address(es) affected by this application

[Signature] 5/4/16  
Signature Date

Daytime Telephone: 512-633-8359

Comments:

If you use this form to comment, it may be returned to:

City of Austin  
Development Services Department, 1st Floor  
Viktor Auzenne  
P. O. Box 1088  
Austin, TX 78767-8810

5-11-16

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Case Number: SPC-2014-0277AW

Contact: Viktor Auzenne, 512-974-2971

Public Hearing: City Council, May 19, 2016

Steven Dobberfuhl

Your Name (please print)

1905 Eva Street 78704

Your address(es) affected by this application

5/5/2016  
Date

Signature

Daytime Telephone: 512-554-9289

Comments: The owners/developers of this

project knew in advance of the laws/city ordinances. Their plan is to pay lawyers & lobbyists to bypass the law. That is just wrong. They are successful business without alcohol sales. My street is already filled with their customers parking there; I do not need intoxicated drivers/passengers added to it.

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Development Services Department, 1st Floor

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P. O. Box 1088

Austin, TX 78767-8810

5-11-16





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Office of Facilities

May 4, 2016

Mr. Viktor Auzenne  
City of Austin  
Development Services Department  
PO Box 1088  
Austin, TX 78767-8810

RE: SPC-2014-0277AW, Application for Alcoholic Beverage Waiver  
1822 South Congress Avenue

Mr. Auzenne:

The District has received notification of an application for an alcoholic beverage waiver from the minimum distance requirement of 300 feet in Section 4-9-4(A) of the Austin City Code. The request to sell alcoholic beverages at 1822 South Congress Avenue is located within 300 feet of Fulmore Middle School.

The District opposes this application because of the values articulated in the district's policy GR (LOCAL). This policy states that the sale of alcohol near schools is not in the best interest of its students as it is generally not conducive to a positive and safe learning environment. If you have any questions regarding this matter, please contact me at 512.414.9841. Thank you for your assistance with this request.

Sincerely,

Beth Wilson,  
Assistant Director of Planning Services  
Austin Independent School District

Enclosure

cc: Lisa Bush, Principal, Fulmore Middle School  
Ylise Janssen, General Counsel

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Case Number: **SPC-2014-0277AW**

Contact: **Viktor Auzenne, 512-974-2971**

Public Hearing: **City Council, May 19, 2016**

**GRETCHEN OTTO - PRESIDENT**

**SRCC NEIGHBORHOOD ASSOC.**

Your Name (please print)

**512 E. MARX ST.**

Your address(es) affected by this application

*[Signature]*

Signature

**5/9/2016**

Date

Daytime Telephone: **512-227-1507**

Comments: *the membership of the SRCC NA has voted to support the position of ATSD in OPPOSING this waiver. I am also personally opposed and I am a parent of two school-aged children. Please DO NOT allow another school outlet near Filmore!*

If you use this form to comment, it may be returned to:

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Development Services Department, 1st Floor

**Viktor Auzenne**

P. O. Box 1088

Austin, TX 78767-8810

5-10-16

**Johnson, Carla**

---

**From:** J and M Garcia-Collins <[REDACTED]>  
**Sent:** Tuesday, May 17, 2016 7:56 PM  
**To:** Auzenne, Viktor; J and M Garcia-Collins  
**Subject:** Against Torchy's getting a waiver for alcohol permit. They shouldn't get a permit to sell alcohol.

We are parents of Travis Heights and Fulmore Middle School. We write to express our concern about the alcohol waiver for Torchy's Tacos on South Congress. We are totally against Torchy's getting a permit to sell alcohol close to a middle school.

Manuel Garcia.

**Garcia-Collins** [REDACTED]

"Good friends are like stars. You don't always see them  
but you always know they are there"

May 17, 2016

Viktor Auzenne  
City of Austin  
viktor.auzenne@austintexas.gov

Re: Torch's Waiver Request

Dear Mr. Auzenne:

The Parent-Teacher Association (PTA) of Fulmore Middle School supports the position of the Austin Independent School District (AISD) registering opposition to waivers that would allow liquor sales within 300 feet of a school. Fulmore Middle School is a vital part of the life of South Congress and the many neighborhoods surrounding this important thoroughfare. Our members come from these neighborhoods and others throughout the District, as Fulmore houses a Magnet school drawing from across AISD. As parents and residents throughout Austin, we feel it is important to support the District's efforts to promote safe environments for all our students. Accordingly, please register the support of the Fulmore PTA for AISD's well-established and documented policy against the granting of waivers that would allow liquor sales within 300 feet of a school.

Kind regards,

Enrique H.  
Trejo

Digitally signed by Enrique H. Trejo  
DN: c=US, cn=Enrique H. Trejo,  
[REDACTED]  
Date: 2016.05.17 23:18:05 -05'00'

Enrique H Trejo  
Fulmore PTA Treasurer  
On behalf of the Fulmore PTA Executive Board

[EHT]

Cc: Austin City Council members via email

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Case Number: SPC-2014-0277AW

Contact: Viktor Auzenne, 512-974-2971

Public Hearing: City Council, May 19, 2016

Becky Davis  
Your Name (please print)

☐ I am in favor  
☒ I object

1703 Nickerson  
Your address(es) affected by this application

Becky Davis  
Signature

Date

Daytime Telephone: \_\_\_\_\_

Comments: OPPOSE GRANTING alcohol license. The traffic late night already makes sleep challenging when special events lease Rebel stores open late. When alcohol is added to the mix we get folks peeing on the plants, puking on the street. Neighbors close

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Viktor Auzenne

P. O. Box 1088

Austin, TX 78767-8810

to downtown have all sold their properties citing noise & parking plz stop the bar movement developers looking

act this great one night. next Hill Country, Newco Bl